



**Thompson Wigdor & Gilly LLP** ATTORNEYS AND COUNSELORS AT LAW

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November 18, 2009

**BY ECF AND FACSIMILE**

Honorable Michael A. Shipp  
United States Magistrate Judge  
for the District of New Jersey  
Martin Luther King, Jr. - U.S. Courthouse  
50 Walnut Street, Courtroom MLK 2C  
Newark, New Jersey 07101

**Re: Joseph C. Weber v. Atlantic Zeiser/Orell Fussli, 08-CV-0977 (DRD)(MAS)**

Dear Judge Shipp:

As Your Honor is aware, we represent Plaintiff Joseph C. Weber ("Plaintiff") in the above-referenced action. We write jointly on behalf of the parties to respectfully provide the Court with a brief status update in anticipation of the telephonic conference before Your Honor scheduled for this Friday, November 20, 2009 at 10:30 a.m.

**I. Depositions**

As set forth in Your Honor's Order dated November 13, 2009 (ECF No. 54), the deposition of non-party Walter Klingler took place on November 16, 2009. The continued deposition of Michael Raimondo, Defendant's CFO and Controller, is scheduled for November 23, 2009. In addition, Plaintiff's motion to compel the deposition of Klaus Oesch is currently pending.<sup>1</sup>

**II. Document Disputes**

By letter to the Court dated November 4, 2009, Plaintiff requested that Defendant be compelled to produce certain items identified on Defendant's "Privilege Log." (See ECF No. 49). Defendant opposed this request by letter dated November 12, 2009. (See ECF No. 52).

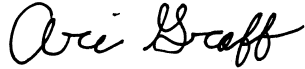
<sup>1</sup> See ECF Nos. 41 and 37 (Memorandum and Affidavit in Support); No. 43 (Brief in Opposition); Nos. 44 and 45 (Reply Memorandum and Affidavit in Support).

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Defendant also raised various discovery concerns by letter to the Court dated November 18, 2009. (*See* ECF No. 55). Plaintiff anticipates submitting a response to Defendant's letter of November 18, 2009 in advance of the telephonic conference on November 20, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ari Graff". The signature is fluid and cursive, with the first name "Ari" and last name "Graff" clearly distinguishable.

Ari Graff

cc: Scott B. Gilly, Esq. (*counsel for Plaintiff* – by ECF)  
Peter Cipparulo, III, Esq. (*counsel for Defendant* – by ECF)